

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 20, 1936, be effective as of October 20, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3042—Filed, October 22, 1936; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 20th day of October 1936.

[File No. 2-2280]

IN THE MATTER OF MINING AND DEVELOPMENT CORPORATION
STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of Mining and Development Corporation, Wilmington, Delaware, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon the evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Mining and Development Corporation, Wilmington, Delaware, be and the same hereby is suspended.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3038—Filed, October 22, 1936; 12:45 p. m.]

UNITED STATES MARITIME COMMISSION.

[General Order No. 2]

CONTINUANCE OF FUNCTIONS, POWERS, AND DUTIES TRANSFERRED
BY MERCHANT MARINE ACT, 1936

Pursuant to the authority vested in it by the Merchant Marine Act, 1936, Public, No. 835,¹ the United States Maritime Commission will, on October 26, 1936, take over the powers and functions theretofore exercised by the Department of Commerce as the successor to the powers and functions of the United States Shipping Board, by virtue of the President's Executive Order of June 10, 1933, which are transferred to it by Section 204 (a) of the said Merchant Marine Act, 1936.

The Commission is authorized by Section 204 (b) of said Act to adopt all necessary rules and regulations to carry out the powers, duties, and functions vested in it by the Act. By virtue of this authority it is hereby ordered that, effective October 26, 1936, all orders, determinations, rules, regulations, permissions, and agreements which have been issued or authorized by the United States Shipping Board, the Merchant Fleet Corporation, or the Department of Commerce

in the exercise of the functions, powers, and duties transferred to this Commission by the Merchant Marine Act, 1936, and which are in effect at the time of such transfer, shall continue in effect, insofar as not in conflict with said Act, until modified, terminated, superseded, or repealed by this Commission or by operation of law; and that all proceedings, hearings, or investigations then pending before the Department of Commerce in connection with the administration of such functions, powers, and duties shall be continued before the Commission.

By order of the United States Maritime Commission:

TELFAIR KNIGHT, *Secretary*.

OCTOBER 21, 1936.

[F. R. Doc. 3029—Filed, October 21, 1936; 2:16 p. m.]

Saturday, October 24, 1936

No. 160

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

NCR—B-2-C

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL
REGION

BULLETIN NO. 2-C

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, North Central Region Bulletin No. 2, Revised, as of September 9, 1936, and amended as of October 19, 1936, is hereby further amended as follows:

Paragraph (g) entitled "Phosphates" is hereby amended to include Kimball County, Nebraska, with the other States and counties specifically enumerated therein.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 22nd day of October 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 3044—Filed, October 22, 1936; 4:21 p. m.]

Bureau of Agricultural Economics.

ORDER OF AMENDMENT TO THE OFFICIAL GRAIN STANDARDS OF THE
UNITED STATES FOR CORN

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act, approved August 11, 1916 (U. S. Code, Title 7, Ch. 3, Sec. 74), I, W. R. Gregg, Acting Secretary of Agriculture, do hereby fix, establish, promulgate, and give public notice of, the following amendment, which shall become effective on the twentieth day of January 1937, to the official grain standards of the United States for corn as heretofore promulgated by the Secretary of Agriculture.

Strike out the entire section entitled "Flint Corn" and insert in lieu thereof the following:

FLINT CORN

Definition.—Flint corn shall be corn of any class which consists of 95 percent or more of corn of any of the flint varieties.

Grades.—Flint corn shall be graded and designated according to the grade requirements of the standards applicable to such corn if it were not flint corn, and the word "Flint" shall be added to, and made a part of, the grade designation, immediately following the words Yellow Corn, or White Corn, or Mixed Corn, as the case may be.

FLINT AND DENT CORN

Definition.—Flint and Dent corn shall be corn of any class which consists of a mixture of the flint and dent

¹ 74th Congress, 49 Stat. 1985.

varieties and which contains more than 5 percent but less than 95 percent of corn of any of the flint varieties.

Grades.—Flint and Dent corn shall be graded and designated according to the grade requirements of the standards applicable to such corn if it were not Flint and Dent corn, and the words "Flint and Dent" shall be added to, and made a part of, the grade designation, immediately following the words Yellow Corn, or White Corn, or Mixed Corn, as the case may be.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 22d day of October 1936.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 3045—Filed, October 22, 1936; 4:21 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

AMENDMENT OF AIR COMMERCE REGULATIONS

ALTERATION AND REPAIR OF AIRCRAFT

Amendment No. 3.

Pursuant to the authority contained in the Air Commerce Act of 1926, as amended (44 Stat. 568), the present section 18 of Aeronautics Bulletin No. 7-H is deleted and replaced by a new section 18, as follows:

SECTION 18. Engine Mounts.—(a) The provisions of Section 19 following also apply to tubular engine mounts.

Approved to take effect November 1, 1936.

[SEAL]

J. M. JOHNSON,
Acting Secretary of Commerce.

[F. R. Doc. 3059—Filed, October 23, 1936; 12:39 p. m.]

Bureau of Marine Inspection and Navigation.

AMENDMENT TO RULE 23, RULES FOR THE ST. MARYS RIVER, JUNE 1, 1932

Under the authority of the Act of Congress approved April 26, 1906 (34 Stat. 136) authorizing the Secretary of Commerce to prescribe rules and regulations governing the movements of vessels and rafts in the St. Marys River, Rule 23 of the Rules for the St. Marys River is hereby amended by adding the following paragraph:

On the connecting waters of the Great Lakes between Point Iroquois, upper St. Marys River and Frying Pan Island, lower St. Marys River, the length of tow lines shall not exceed by more than 50 feet, the length of the scow, barge, vessel, or other craft being towed: *Provided*, That no scow, barge, vessel, or other craft shall be required to have a tow line less than 250 feet. The length of the tow line shall be measured from the stern of one vessel to the bow of the following vessel.

Approved, October 23, 1936.

[SEAL]

J. M. JOHNSON,
Acting Secretary of Commerce.

[F. R. Doc. 3058—Filed, October 23, 1936; 12:39 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Telephone Accounting Circular No. 1]

TELEGRAPH DIVISION

PROPER ACCOUNTING WITH RESPECT TO TAXES IMPOSED UNDER SOCIAL SECURITY ACT, ETC.

The Commission, at a General Session, held on October 14, 1936, approved the action of the Telegraph Division at its

meeting of October 13, 1936, in approving Telegraph Accounting Circular No. 1, regarding regulations or rulings that have been made by the Commission as to proper accounting with respect to taxes imposed under the Social Security Act and similar State statutes.

To Telegraph and Cable Carriers:

Inquiries have been received by this Commission regarding regulations or rulings that have been made by the Commission as to appropriate accounting with respect to taxes imposed under the Social Security Act and similar State statutes.

Such payments, or accruals prior to payments, may represent amounts for which the company is liable on its own behalf as an employer or amounts for which it is liable on behalf of its employees.

The amounts of accruals for which the company is liable on its own behalf should be charged to account 305, "Taxes assignable to operations", to account 232, "Taxes during construction", and to account 324, "Nonoperating taxes", as appropriate, so as to apportion the total tax equitably among the costs of rendering public-utility service, of construction of plant and equipment, and of other operations of the company. The amounts charged to the foregoing accounts should be credited to account 167, "Taxes accrued." The amounts of payments to the United States Treasury or other governmental agency should be charged to account 167.

The amounts deducted from the pay of employees for which the company is liable on behalf of its employees should be segregated in appropriate accounts classified under account 159, "Audited vouchers and wages unpaid." The amounts of payments to the United States Treasury or other governmental agency should be charged to account 159.

Nothing contained in this accounting ruling shall be construed as committal of the future action or policy of the Commission with respect to accounting or other treatment of accruals, payments and funds under voluntary or private plans for provident relief or pension.

[SEAL]

JOHN B. REYNOLDS, *Acting Secretary.*

[F. R. Doc. 3046—Filed, October 23, 1936; 9:34 a. m.]

[Telephone Accounting Circular No. 2]

TELEPHONE DIVISION

PROPER ACCOUNTING WITH RESPECT TO TAXES IMPOSED UNDER SOCIAL SECURITY ACT, ETC.

The Commission, at a General Session, held on October 14, 1936, approved the action of the Telephone Division at its meeting of October 14, 1936, in approving Telephone Accounting Circular No. 2, regarding regulations or rulings that have been made by the Commission as to proper accounting with respect to taxes imposed under the Social Security Act and similar State statutes.

To Class A and Class B Telephone Carriers:

Inquiries have been received by this Commission regarding regulations or rulings that have been made by the Commission as to appropriate accounting with respect to taxes imposed under the Social Security Act and similar State statutes.

Such payments, or accruals prior to payments, may represent amounts for which the company is liable on its own behalf as an employer or amounts for which it is liable on behalf of its employees.

The amounts of accruals for which the company is liable on its own behalf should be charged to account 305, "Operating taxes", to the telephone plant accounts (see instruction 22), and to account 322, "Miscellaneous taxes", as appropriate, so as to apportion the total tax equitably among the costs of rendering public utility service, of construction of telephone plant, and of other operations of the company. The amounts charged to the foregoing accounts should be credited to account 166, "Taxes accrued." The amounts of

payments to the United States Treasury or other governmental agency should be charged to account 166.

The amounts deducted from the pay of employees for which the company is liable on behalf of its employees should be segregated in appropriate accounts classified under account 159, "Accounts payable." The amounts of payments to the United States Treasury or other governmental agency should be charged to account 159.

Nothing contained in this accounting ruling shall be construed as committal of the future action or policy of the Commission with respect to accounting or other treatment of accruals, payments, and funds under voluntary or private plans for provident relief or pensions.

[SEAL] JOHN B. REYNOLDS, *Acting Secretary.*

[F. R. Doc. 3047—Filed, October 23, 1936; 9:34 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

ORDER FOR PUBLIC HEARING ON APPLICATION OF UNION PUBLIC SERVICE COMPANY FOR APPROVAL OF ISSUANCE OF ITS FIRST MORTGAGE AND REFUNDING BONDS IN THE SUM OF \$1,250,000

[IT-5455-S]

The following order was adopted:

Upon application filed on October 19, 1936, by Union Public Service Company, an electric public utility company, operating in the States of Minnesota and South Dakota, with principal offices at St. Paul, Minnesota, under section 204 of the Federal Power Act for an order approving the issuance of a new and refunding issue of first mortgage bonds in the principal sum of \$1,250,000 bearing interest at the rate of 4% per annum to be dated December 1, 1936, and to mature on December 1, 1961, the proceeds to be applied in retiring its presently outstanding first mortgage bonds in the principal sum of \$1,183,500 bearing interest at the rate of 5% per annum, together with the accrued interest and call premium thereon and other necessary expenses in connection with said refunding operations, and for other corporate purposes;

It is ordered by the Commission:

That a public hearing on said application for approval of said new and refunding issue of bonds be held at the hearing room of the Commission on Monday, November 9, 1936, at 10 o'clock a. m., and that notice of such hearing be published in the usual manner.

Adopted by the Commission on October 21, 1936.

[SEAL] LEON M. FUQUAY, *Acting Secretary.*

[F. R. Doc. 3048—Filed, October 23, 1936; 9:36 a. m.]

INTERSTATE COMMERCE COMMISSION.

NOTICE

Investigation and Suspension Docket No. 4208—Grain to, From and Between Southern Territory; Investigation and Suspension Docket No. 4229—Grain, Texas to Mississippi River (for beyond); No. 17000—Grain and Grain Products to and Within Southern Territory, Rate Structure Investigation, Part 7, Grain and Grain Products, (A) Southern Territory Rates; No. 15026—Oklahoma Millers' League v. Ala. & Miss. R. R. Co. et al.; No. 15082—Capital Grain and Feed Co. v. Ill. Cen. R. R. Co. et al.; No. 15292—Traffic Bureau of Nashville v. L. & N. R. R. Co. et al.; No. 15944—Florence Chamber of Commerce v. L. & N. R. R. Co.; No. 16029—Florence Chamber of Commerce v. Ill. Cen. R. R. Co. et al.; No. 19349—American Grain & Hay Company et al. v. L. & N. R. R. Co., et al.; No. 20252—Mississippi Railroad Commission et al. v. A. & R. R. Co. et al.; No. 20963—Muscle Shoals Grain Dealers' Assn. v. The Atchi-

son, Topeka & Santa Fe Ry. Co. et al.; No. 23360—New Orleans Joint Traffic Bureau, New Orleans, La. v. A. & R. R. Co. et al.; No. 24368—The Rea-Patterson Milling Co. v. Mo. Pac. R. R. Co. et al.; No. 26345—Tex-O-Kan Flour Mills Co. v. A. & S. Ry. Co. et al.; No. 26965—Farmers' National Grain Corp. et al. v. The A. G. S. R. R. Co. et al.; No. 27226—New Orleans Joint Traffic Bureau v. Aberdeen and Rockfish R. R. Co. et al.; No. 24718—The Traffic Association of the South Atlantic Ports, et al. v. Aberdeen and Rockfish R. R. Co. et al.; Fourth-Section Applications Nos. 16151 and 16253—Grain and Grain Products Between Points in Southern Territory and to Points in Southeastern and Carolina Territories; Fourth-Section Application No. 13079—Grain Rates to Memphis, Tenn.; Fourth-Section Application No. 13081—Grain Rates to Mississippi Valley Points.

Notice to the Public:

There will be a conference of parties interested in the above-entitled proceedings before Examiners Mackley and Hall at the Sherman Hotel, Chicago, Ill., November 10, 1936, at 10 o'clock a. m., for the purpose of a general discussion of the issues, procedure and assignments for hearing, with a view to the convenience of the parties and to the expedition of the hearings. The date for the initial hearing will be December 2, 1936, unless changed as a result of the conference. The place of the initial hearing will also be determined following the conference.

Petitions for discontinuance or indefinite postponement of proceedings in No. 17000, Part 7-A, have been denied.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

October 22, 1936.

[F. R. Doc. 3052—Filed, October 23, 1936; 12:17 p. m.]

ORDER

At a General Session of the Interstate Commerce Commission held in its office in Washington, D. C., October 23 A. D. 1936.

[Ex Parte No. 118]

PETITION OF CLASS I RAILROADS FOR THE MODIFICATION OF CERTAIN OUTSTANDING RATE ORDERS AND FOR FOURTH-SECTION RELIEF

Numerous Class I railroad companies and receivers and trustees of Class I railroads having on October 22, 1936, filed with the Commission their "Petition of Class I Railroads for the Modification of Certain Outstanding Rate Orders and for Fourth-Section Relief", the prayer of which is that the outstanding rate orders of the Commission in approximately 1,000 proceedings listed in Exhibit 3 to such petition, and all other outstanding orders, if any, be so modified as to enable petitioners lawfully to publish and file tariffs carrying rates and charges as described in Exhibit 2 thereto; and also praying for appropriate fourth-section relief which will permit them to publish and file tariffs carrying the rates and charges described in Exhibit 2, such rates and charges when so published and filed to be subject to protest and suspension:

It is ordered, That for the proper dispatch of business and to conduce to the ends of justice, in order to simplify and expedite the proper consideration of such petition:

1. That such petition be filed as Ex Parte No. 118, styled as above quoted; and that a copy thereof be filed also in the record of each proceeding enumerated in Exhibit 3 to such petition.

2. That any of the parties to the several proceedings under the docket numbers and entitled as shown in Exhibit 3 attached to such petition, or in any other outstanding and effective order of the Commission, and any other persons interested in the subject matter thereof, be and they are hereby permitted on or before November 7, 1936, to file and serve a reply thereto, or to any particular portion of such petition, either to the petition generally or specially in respect to any of the particular proceedings shown in Exhibit 3 or an

outstanding order in any other proceeding. Such replies should be in the form provided by Rule XXI of the Rules of Practice of the Commission, and should show service thereof upon petitioners by delivering in person or by mailing, one copy to R. V. Fletcher, Attorney, Transportation Building, Washington, D. C.; and 25 copies should be supplied for the use of the Commission. At the close of business November 7, 1936, the matter will be considered submitted upon the petition and such written replies as shall then have been filed, without oral argument.

It is further ordered, That persons filing replies may, if they so indicate their desire, frame such replies so that they may be treated and considered as requests for suspension of tariffs or items thereof which may be filed pursuant to any permission granted upon the petition herein.

It is further ordered, That a copy of any replies which may be made thereto shall be filed as part of the record in the respective cases to which they may be specially applicable.

And it is further ordered, That a copy of this Order be posted in the office of the Secretary of the Commission for public inspection and a copy be transmitted to the National Archives Establishment.

By the Commission.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3070—Filed, October 23, 1936; 12:50 p. m.]

ORDER

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of October A. D. 1936.

[No. MC 29883]

APPLICATION OF GEORGE FAIRALL FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George Fairall, Doing Business as Fairall Trucking, of Dix and Philomene Streets, Lincoln Park, Mich., for a Permit (Form BMC 1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points Located in the States of Michigan, Illinois, Indiana, and Ohio, Serving, but Not Limited to, Detroit, Flint, Grand Rapids, Lansing, and Monroe, Mich., Toledo, Ohio, Plymouth, Ind., Chicago and Streator, Ill., Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner B. E. Stillwell for hearing and for the recommendation of an appropriate order thereon to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner B. E. Stillwell, on the 27th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Fort Shelby Hotel, Detroit, Mich.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3049—Filed, October 23, 1936; 12:16 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of October A. D. 1936.

[No. MC 29883]

APPLICATION OF GEORGE FAIRALL FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George Fairall, Individual, Doing Business as Fairall Trucking, of Dix and Philomene Streets, Lincoln Park, Mich., for a Permit (Form BMC 10), to Extend Its Present Operation, Filed on Form BMC 1, Authorizing Operation as a Contract Carrier, by Motor Vehicle, in the Transportation of Commodities Generally, in Interstate Commerce, Between Detroit, Mich., and Baltimore, Md., via Toledo, Ohio, and Johnstown, Pa., Over a Regular Route

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner B. E. Stillwell for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner B. E. Stillwell, on the 27th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Fort Shelby Hotel, Detroit, Mich.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3050—Filed, October 23, 1936; 12:16 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of October A. D. 1936.

[No. MC 50339]

APPLICATION OF FRED E. STEVENS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Fred E. Stevens, Individual, Doing Business as Steve's Van Lines, of 623 East Michigan Avenue, Lansing, Mich., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Household Goods, Office Furniture, and Store Fixtures, in Interstate Commerce, Between Points Located in the States of Michigan, Ohio, Indiana, and Illinois, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner B. E. Stillwell, for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be assigned for hearing before Examiner B. E. Stillwell, on the 21st day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Federal Building, Lansing, Mich.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3051—Filed, October 23, 1936; 12:16 p. m.]

[Fourth Section Application No. 16564]

CEMENT TO BOSTON DISTRICT

OCTOBER 23, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Cullett and Frank Van Ummersen, Agents.
Commodity involved: Cement, in carloads.
From: Cement producing points in Trunk Line and New England territories.
To: Boston Metropolitan District.
Grounds for relief: Competition of imported cement. Potential water and rail-water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3053—Filed, October 23, 1936; 12:17 p. m.]

[Fourth Section Application No. 16565]

CITRUS FRUITS FROM TEXAS TO NORTH ATLANTIC PORTS

OCTOBER 23, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: F. A. Leland, Agent.
Commodities involved: Citrus fruits, fresh, in carloads.
From: Points in Texas.
To: Baltimore, Md., Boston, Mass., New York, N. Y., and Philadelphia, Pa.
Grounds for relief: Market competition. Potential water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3054—Filed, October 23, 1936; 12:17 p. m.]

[Fourth Section Application No. 16566]

CITRUS FRUITS TO OFFICIAL TERRITORY

OCTOBER 23, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: F. A. Leland, Agent.
Commodities involved: Citrus fruits, in carloads.
From: Points in Texas.
To: Points in Official Territory.
Grounds for relief: Market competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3055—Filed, October 23, 1936; 12:18 p. m.]

[Fourth Section Application No. 16567]

SCRAP IRON AND STEEL FROM WATERVLIET, N. Y., TO BUFFALO, N. Y.

OCTOBER 23, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Cullett, Agent.
Commodities involved: Scrap iron and steel, in carloads.
From: Watervliet, N. Y.
To: Buffalo, N. Y.
Grounds for relief: Water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3056—Filed, October 23, 1936; 12:18 p. m.]

[Fourth Section Application No. 16568]

HIGH TEMPERATURE BONDING MORTAR TO OFFICIAL TERRITORY

OCTOBER 23, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Cullett, Agent.
Commodities involved: Furnace or kiln lining and high temperature bonding mortar, having silica base, in carloads.
From: Points in Trunk Line territory.
To: Points in Official territory.
Grounds for relief: To maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 3057—Filed, October 23, 1936; 12:18 p. m.]

SECURITIES AND EXCHANGE COMMISSION*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

[File No. 43-14]

IN THE MATTER OF REPUBLIC SERVICE CORPORATION**NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER**

A declaration having been duly filed with this Commission, by Republic Service Corporation pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale of \$175,000 principal amount of its One Year 6% Coupon Notes, to be dated November 30, 1936, to refund an issue of \$175,000 principal amount of its One Year 6% Coupon Notes maturing November 30, 1936;

It is ordered, that such matter be set down for hearing on November 9, 1936, at 10:00 o'clock in the forenoon of that day at Room 218, Securities and Exchange Building, 1778 Pennsylvania Avenue NW, Washington, D. C., and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 5, 1936.

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3060—Filed, October 23, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE J. C. EMBRY FARM, FILED ON SEPTEMBER 28, 1936, BY H. H. SCHWARZ, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing, but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore

entered in this proceeding, be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3069—Filed, October 23, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of October A. D. 1936.

[File No. 37-13]

IN THE MATTER OF REPUBLIC ELECTRIC POWER CORPORATION**ORDER CONSENTING TO WITHDRAWAL OF APPLICATION FOR EXEMPTION PURSUANT TO SECTION 13 (A) OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 UPON REQUEST OF APPLICANT**

The Commission, having due regard to the public interest and the interest of investors and consumers, upon the request of the above-named applicant hereby consents to the withdrawal of said applicant's application for exemption pursuant to Section 13 (a) of the Public Utility Holding Company Act of 1935; and accordingly, pursuant to the terms of an order herein dated July 29, 1936, granting applicant a temporary exemption, such temporary exemption will continue only until and including the tenth day after the date of this order, and to that effect

It is so ordered.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3061—Filed, October 23, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CALIFORNIA-CURRY FARM, FILED ON OCTOBER 8, 1936, BY B. D. BUCKLEY, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 19, 1936, be effective as of October 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3067—Filed, October 23, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MAGNOLIA-METROPOLITAN FARM, FILED ON SEPTEMBER
15, 1936, BY W. R. CURRY, RESPONDENT

ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, finding that the inclusion of the two non-contiguous tracts in a single offering sheet, which inclusion constituted the basis for the suspension order previously entered in this proceeding, is no longer open to objection in view of the adoption of Rule 335 of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, which rule became effective on October 21, 1936;

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3062—Filed, October 23, 1936; 12:44 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936:

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MID-CONTINENT-JOHNSTON FARM, FILED ON SEP-
TEMBER 26, 1936, BY ROYALTY INVESTMENTS CORP., RE-
SPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 21, 1936, be effective as of October 21, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding be, and the same hereby, are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3066—Filed, October 23, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936:

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE GULF-GRIMES FARM, FILED ON SEPTEMBER 5, 1936, BY
SCHAPPERT-TEDEN-BLUMER, INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 26, 1936, be effective as of October 21, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3043—Filed, October 23, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MID-CONTINENT-MARSHALL FARM FILED ON OCTOBER
16, 1936, BY THE ROLES COMPANY, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Order for Hearing previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 19, 1936, be effective as of October 19, 1936; and

It is further ordered, that the Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3064—Filed, October 23, 1936; 12:44 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CARTER-WALKER FARM FILED ON OCTOBER 7, 1936, BY
L. H. WITWER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 21, 1936, be effective as of October 21, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3065—Filed, October 23, 1936; 12:45 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SHELL-PLOOG FARM, FILED ON OCTOBER 2, 1936, BY
L. H. WITWER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 19, 1936, be effective as of October 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission,

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3063—Filed, October 23, 1936; 12:44 p. m.]

Tuesday, October 27, 1936 **No. 161**

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

ESTABLISHING LONG TAIL POINT MIGRATORY WATERFOWL REFUGE

Wisconsin

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described area containing 103.06 acres, more or less, located in the Green Bay, Wisconsin, and known as Long Tail Point Island, together with all buildings thereon, be, and it is hereby, reserved and, subject to valid existing rights, set apart for the use of the Department of Agriculture as a refuge and breeding ground for migratory waterfowl and other wildlife:

FOURTH PRINCIPAL MERIDIAN

T. 24 N., R. 21 E., sec. 5, lot 1.

T. 25 N., R. 21 E., sec. 31, lot 1;
sec. 32, lots 1, 2, and 3.

The Executive Order of September 2, 1847, reserving the above-described lands for lighthouse purposes is hereby revoked.

This refuge shall be known as the Long Tail Point Migratory Waterfowl Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 23, 1936.

[No. 74761]

[F. R. Doc. 3074—Filed, October 24, 1936; 10:48 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48589]

PORT OF ENTRY

**EXTENSION OF THE LIMITS OF CUSTOMS PORT OF ENTRY OF
BROWNSVILLE, TEXAS**

OCTOBER 21, 1936.

To Collectors of Customs and Others Concerned:

There is published below, for the information of Customs officers and others concerned, the following Executive Order, dated October 17, 1936, extending the limits of the customs

port of entry of Brownville, Texas, in Customs Collection District No. 23 (San Antonio), effective as of the date of the order.

[SEAL]

W. R. JOHNSON,
Acting Commissioner of Customs.

EXECUTIVE ORDER

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, ch. 223, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2), the limits of the customs port of entry of Brownville, Texas, in Customs Collection District No. 23 (San Antonio), are hereby extended, effective immediately, so as to include therein the following additional territory:

A strip of land on both sides of 14th Street Road (known as state highway No. 4 between the corporate limits of Brownsville and Boca Chica Road, and as state highway No. 48 running northeasterly from Boca Chica Road), having a width of 50 feet on each side from the center line thereof, beginning at the corporate limits of the city of Brownsville, and extending to the land of the Brownsville Navigation District, Cameron County, Texas, and including the land of the navigation district surrounding the turning basin for vessels, and said turning basin, as shown on the map prepared by the Brownsville Navigation District on May 14, 1935, on file in the Bureau of Customs, U. S. Treasury Department, Washington, D. C.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 17, 1936.

[No. 74741]

[F. R. Doc. 3072—Filed, October 24, 1936; 10:08 a. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

GRAZING DISTRICT NOTICE

Oregon

Pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), commonly known as the Taylor Grazing Act, as amended June 26, 1936, notice is hereby given that a hearing will be held by the Department of the Interior for the purpose of considering the establishment of a grazing district in the Counties of Morrow, Umatilla, and Gilliam, State of Oregon, at the following place and time, and any place or time, to which such hearing may be adjourned:

State	Place	Date	Hour
Oregon	Heppner	November 6, 1936	10 a. m.

This hearing will be open to the attendance of State officials, settlers, residents, and livestock owners, who are interested in the grazing use of the public domain in said State.

T. A. WALTERS,
Acting Secretary of the Interior.

Date, October 20, 1936.

[F. R. Doc. 3071—Filed, October 24, 1936; 9:35 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

**ORDER AMENDING THE ORDER REGULATING THE HANDLING OF
CITRUS FRUIT GROWN IN THE STATE OF FLORIDA**

Whereas, the Secretary of Agriculture of the United States issued an order regulating the handling of citrus fruit grown in the State of Florida on May 4, 1936, effective May 8, 1936; and

Whereas, at the request of the Control Committee established by the said order, a hearing was held upon an amendment to the order on May 26, 1936, notice of which was given to interested parties in accordance with the General Regulations of the Agricultural Adjustment Administration of the Department of Agriculture; and

Whereas, the Secretary of Agriculture on June 26, 1936, issued the amendment hereinafter quoted and took steps to ascertain whether the producers of citrus fruit grown in the State of Florida, favor or approve making the amendment effective; and